

To: BDonohue@ENRD.USDOJ.GOV;CN=Deborah Mellott/OU=R2/O=USEPA/C=US@EPA[];
N=Deborah Mellott/OU=R2/O=USEPA/C=US@EPA[]
Cc: []
Bcc: []
From: CN=Sarah Flanagan/OU=R2/O=USEPA/C=US
Sent: Tue 6/26/2007 3:05:57 PM
Subject: Fw: Diamond Alkali -LPRSA - Marcal Claim

by previous agreement with Jerry.

----- Forwarded by Sarah Flanagan/R2/USEPA/US on 06/26/2007 11:05 AM -----

Sarah Flanagan/R2/USEPA/US
06/26/2007 11:02 AM

To "Gerald Gline" <GGline@coleschotz.com>
cc eshea@windelsmarx.com, jerry.mclaughlin@usdoj.gov, donald.frankel@usdoj.gov
Subject Diamond Alkali -LPRSA - Marcal Claim

Dear Mr. Gline:

As discussed, I am sending you information by overnight delivery service to aid you in understanding the basis for the claim of the United States against Marcal Paper Mills, Inc. The information is forwarded in furtherance of settlement discussions and comprises a settlement communication subject to FRE 408.

In addition, I would like to refer you to two documents that appear as appendices to the Focused Feasibility Study ("FFS") recently released in draft form by EPA: Appendix A -- the Conceptual Site Model; and Appendix D -- the Empirical Mass Balance Model. The entire FFS can be downloaded from www.ourpassaic.org but these two documents in particular should be enlightening for you as they address the transport of polychlorinated biphenyls from the Upper Passaic River to the Lower Passaic River. To find the Conceptual Site Model and Empirical Mass Balance Model, click on the link for "Project Activities" and then "Early Action." I could try to attach them to an email but the documents are large and could be a problem, so I thought it best to direct you to the website.

I had hoped to send the package to you yesterday, my apologies that it did not go out until today. I am sending the documents to your Hackensack address -- please let me know if you would prefer them to be directed to your Manhattan address.

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region II
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136
Fax: 212-637-3096

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review of, reliance on, or distribution by others or forwarding without the express permission of the sender is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.